

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

DEBORAH GIGOGNE

Plaintiff,

vs.

WALMART INC.

Defendant.

*
* **NOTICE OF REMOVAL FROM**
* **THE CIRCUIT COURT FOR**
* **BALTIMORE COUNTY, MD**
* **CASE NO. C-03-CV-21-002694**
*
* **CIVIL ACTION NO. _____**
*
*

PETITION FOR REMOVAL

Pursuant to 28 U.S.C., Section 1441(a), the Defendant, Walmart Inc., respectively notices the removal of the above-captioned matter to this Honorable Court from the Circuit Court for Baltimore County, Maryland, and as grounds therefor states as follows:

1. On or about August 23, 2021, Defendant Walmart Inc. was served with a Summons and Complaint in an action commenced by the Plaintiff, Deborah Gigogne, in the Circuit Court for Baltimore County, Maryland as Docket No. C-03-CV-21-002694. True and correct copies of the Summons and Complaint are attached hereto. No further proceedings have taken place in this action.

2. This Notice of Removal is filed within thirty (30) days of receipt of service by Defendant Walmart Inc. and, therefore, is timely filed pursuant to 28 U.S.C., Section 1446(b).

3. Pursuant to the Federal Rules of Civil Procedure, the Petitioner filed a written Answer to Plaintiff's Complaint on September 1, 2021. Copies of Defendant's Answer and Notice of Removal are attached hereto.

DeCARO, DORAN,
SICILIANO, GALLAGHER,
& DeBLASIS, LLP

17251 MELFORD BOULEVARD
SUITE 200
BOWIE, MD 20715
TELEPHONE: (301) 352-4950
FAX: (301) 352-8691

3050 CHAIN BRIDGE ROAD
SUITE 300
FAIRFAX, VIRGINIA 22030
TELEPHONE: (703) 255-6667
FAX: (703) 299-8548

4. In her Complaint, Plaintiff Deborah Gigogne seeks judgment against this Defendant in an amount in excess of Seventy Five Thousand Dollars (\$75,000) in compensatory damages, plus interest and costs.

5. At the time of commencement of this action, Plaintiff was and is now a resident of the State of Maryland.

6. At the time of commencement of this action, and at all other times relevant to the subject proceeding, Defendant Walmart Inc.'s principal place of business is Bentonville, Arkansas, and is incorporated in the State of Delaware.

7. As this is a civil action wherein the amount in controversy exceeds \$75,000, exclusive of interest and costs, this Honorable Court has diversity of jurisdiction over this matter pursuant to 28 U.S.C., Section 1332.

8. The Petitioner presents and files herewith Four Hundred Two Dollars (\$402) for the filing fee, as required by law.

WHEREFORE, the Defendant, Walmart Inc., respectfully requests to remove this action from the Circuit Court for Baltimore County, Maryland to the United States District Court for the District of Maryland.

Respectfully submitted,

DeCARO, DORAN, SICILIANO,
GALLAGHER & DeBLASIS, LLP

/s/Christopher R. Dunn

Christopher R. Dunn, #05278
17251 Melford Boulevard, Suite 200
Bowie, Maryland 20715
(301) 352-4950
Cdunn@decarodoran.com
Counsel for Defendant Walmart Inc.

DeCARO, DORAN,
SICILIANO, GALLAGHER,
& DeBLASIS, LLP

17251 MELFORD BOULEVARD
SUITE 200
BOWIE, MD 20715
TELEPHONE: (301) 352-4950
FAX: (301) 352-8691

3050 CHAIN BRIDGE ROAD
SUITE 300
FAIRFAX, VIRGINIA 22030
TELEPHONE: (703) 255-6667
FAX: (703) 299-8548

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of September, 2021, a copy of the foregoing Petition for Removal was electronically filed and forwarded, to:

Thomas C. Costello
Matthew T. Holley
Costello Law Group
409 Washington Avenue, Suite 410
Towson, Maryland 21204
Tcc@costellolawgroup.com
Mth@costellolawgroup.com
Counsel for Plaintiff

/s/Christopher R. Dunn
Christopher R. Dunn, #05278
Counsel for Defendant Walmart Inc.

I:\Common\WP\L1\CRD\Gigogne v Walmart\Pleadings\PetitionForRemoval.wpd

DeCARO, DORAN,
SICILIANO, GALLAGHER,
& DeBLASIS, LLP

17251 MELFORD BOULEVARD
SUITE 200
BOWIE, MD 20715
TELEPHONE: (301) 352-4950
FAX: (301) 352-8691

3050 CHAIN BRIDGE ROAD
SUITE 300
FAIRFAX, VIRGINIA 22030
TELEPHONE: (703) 255-6667
FAX: (703) 299-8548